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AT ROANOKE, VA
FILED

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**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION**

MICHAEL F. HARRIS,

Plaintiff,

V.

JEFFREY K. SETO, ET AL.,

Defendants.

Civil Action No. 7:09CV00182

ORDER

By: Samuel G. Wilson
United States District Judge

It appearing that on September 28, 2009, the court entered an order directing plaintiff to file proof of service within 30 days or this action would be dismissed. Plaintiff has failed to comply with the court's order, accordingly it is **ORDERED** and **ADJUDGED** that this action is **DISMISSED** without prejudice.

ENTER: This December 9, 2009.

UNITED STATES DISTRICT JUDGE